

REMARKS

Applicant wishes to thank the Examiner for reviewing the present application.

Claims 1 to 6 inclusive have been deleted, without prejudice. Independent claim 7 was amended to correct a grammatical error. Claims 7 to 13 remain in the application.

The Examiner has rejected Claim 1 as being obvious over Conroy (U.S. Patent No. 6,241,633) in view of Cabales (U.S. Patent No. 6,155,932). The applicant respectfully submits that the subject matter of Claim 7 is patentably distinct from the teachings of said references, either taken together or individually.

Claim 7 recites as follows:

a composite hockey stick shaft having an elongated body having four side wall members, at least one of said side wall members comprising
an inner layer of fibers disposed within a matrix material,
a layer of viscoelastic material anchored onto to the outside surface of said inner layer,
an outer layer of fibers disposed within a matrix material, said outer layer being disposed on and abutting the outside of said layer of viscoelastic material.

Conroy discloses a hockey stick shaft having a plurality of adjacent layers of multidirectional fibers. Conroy further teaches that each layer of multidirectional fibers is directly abutting each adjacent layer. Thus Conroy teaches away from a shaft construction where two adjacent layers of multidirectional fibers are not in direct contact with each other. Conroy further does not **teach, suggest or provide any incentive** for a shaft construction which incorporates any other material other than multidirectional fibers. The Applicant therefore respectfully submits that Conroy **teaches away** from the use of viscoelastic material in the construction of a side wall member of a hockey stick shaft.

The Applicant therefore respectfully submits that Conroy does not render obvious the

subject matter of Claim 7.

Cabales teaches a damping mechanism to suppress vibrations. Cabales therefore teaches a many-layered structure, including interior shaft structure 16a, exterior shaft structure 16b and a damping mechanism disposed therebetween. By its very nature, the damping mechanism disclosed by Cabales completely surrounds the interior shaft structure 16a. The Applicant respectfully submits that Cabales does not **teach, point to suggest or provide any incentive** for the structure of Claim 7 wherein at least one side wall member comprises the claimed structure. Claim 7 is directed to a shaft structure which may have a viscoelastic layer on only one of its four side wall members.

The Applicant also submits that Cavales does deal with the problem addressed by the subject matter of the present application, namely increased resistance to impact and impact force dissipation. The applicant submits that since Cabales does not deal with this problem, it does not **teach, point to suggest or provide any incentive** for the solution adopted by Claim 7.

Further, Cabales teaches that its damping mechanism is to be a sub-component of the overall shaft structure. Claim 7 does not disclose a sub-component. Rather claim 7 teaches the construction of the side wall itself. Cabales therefore **teaches away** from the subject matter of Claim 7.

The Applicant therefore respectfully submits that Cabales does not render obvious the subject matter of Claim 7.

Finally, the Applicant respectfully submits that there must be some explicit teaching, suggestion or incentive in order to combine any two references in order to support an obviousness rejection. As Cabales and Conroy either teach away or address different problems to the solution addressed by Claim 7, they cannot render Claim 7 obvious. The Applicant therefore respectfully submits that the present invention is patentably distinct from the teachings of Conroy and Cabales, either taken together or independently.

The Applicant therefore respectfully submits that Claim 7 is not obvious in view of Conroy and Cabales taken together or alone, and is in condition for allowance.

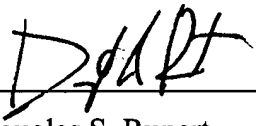
Further, the Applicant respectfully submits that dependant Claims 8 to 13 are also not obvious in view of Conroy and Cabales taken together or alone for the same reasons as submitted above with respect to Claim 7. The Applicant submits that Claims 8 to 13 are also in condition for allowance.

Applicant requests reconsideration and allowance of the present application.

Respectfully submitted,

Date: _____

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Douglas S. Rupert

Reg. No. 44,434

SEYFARTH SHAW LLP
55 E. MONROE STREET
CHICAGO, ILLINOIS 60603
(312) 364-8000